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UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA
SAN FRANCISCO DIVISION

UNITED STATES OF AMERICA,)
)
Plaintiff,)
)
v.)
)
DWIGHT GILCHRIST,)
)
Defendant.)

No. CR 06-0538 SI

STIPULATION AND [PROPOSED]
ORDER RE TWO WEEK
CONTINUANCE OF STATUS
CONFERENCE AND EXCLUSION OF
TIME

In this case, defendant Dwight Gilchrist (“defendant”) is charged with eight counts of bank fraud and ten counts of embezzlement. The indictment was filed on August 6, 2006. The fraud is alleged to have occurred over the course of several years. Defendant originally retained defense counsel Mark Vermeulen. In March 2007, defendant substituted counsel, hiring defense counsel Julia M. Jayne. At that time, the parties requested a two month continuance to allow Ms. Jayne adequate time to review discovery and become familiar with the present charges. The parties are currently scheduled to appear in front of this Court on Friday, May 25, 2007 for a status conference.

1 The parties would like to request a two-week continuance of the status conference
 2 to Friday, June 8, 2007. The principal reason for the continuance is that AUSA Stacey
 3 Geis will be on the East Coast the week of May 21st teaching a course on environmental
 4 crimes. AUSA Geis has been in a four month trial, and, thus, has been unable to attend
 5 the last two status conferences. Continuing the matter to June 8, 2007 will allow AUSA
 6 Geis to be present at the next status conference. (Ms. Jayne is not available June 1, 2007,
 7 which is why the parties have chosen June 8.) In addition, the government recently
 8 learned that Ms. Jayne would like to review some original discovery. The parties would
 9 like to have Ms. Jayne review the original discovery before the next status conference so
 10 that the parties will be in a better position to inform the Court whether this case needs to
 11 be set for motions, trial, or change of plea.

12
 13 Accordingly, with the agreement of the parties and with the consent of the
 14 defendant, the Court finds and holds, as follows:

15 1. The Court finds that good cause exists to grant a two week continuance. As such,
 16 the earlier appearance date of May 25, 2007 is hereby vacated, and the next appearance in
 17 front of this Court will be June 8, 2007 at 11:00 a.m. Further, the Court finds, taking into
 18 the account the public interest in the prompt disposition of criminal cases, that granting
 19 the continuance until June 8, 2007 is necessary for effective preparation of counsel and
 20 for continuity of counsel. See 18 U.S.C. § 3161(h)(8)(B)(iv). The Court finds that the
 21 ends of justice served by excluding the period from March 30, 2007 to June 8, 2007,
 22 outweigh the best interest of the public and the defendant in a speedy trial. Id.
 23 § 3161(h)(8)(A).

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2. Accordingly, the Court orders that 1) the next appearance in front of this Court will be June 8, 2007 at 11:00 a.m., and 2) the period from March 30, 2007 to June 8, 2007 be excluded from Speedy Trial Act calculations under 18 U.S.C. § 3161(h)(8)(A) & (B)(iv).

IT IS SO STIPULATED.

DATED: May 17, 2007


/S/ Julia M. Jayne
Julia M. Jayne
Attorney for Dwight Gilchrist

DATED: May 17, 2007

/S/ Stacey P. Geis
Stacey P. Geis
Assistant U.S. Attorney

IT IS SO ORDERED.

DATED: _____


The Honorable Susan Illston
United States District Judge